



1 North San Antonio Road
Los Altos, California 94022-3087

MEMORANDUM

DATE: 1/11/22

TO: Councilmembers

FROM: City Manager

SUBJECT: COUNCIL Q&A FOR THE JAN 11, 22 CITY COUNCIL REGULAR MEETING

Study Session: This is a pre-application meeting designed for discussion and feedback. Specific answers may not be known until application.

- How is the number of units justified? The report as distributed does not really walk through the application of Density Bonus Law thoroughly. Please explain how density bonus is applied on this project? Please explain if the waiver requested is discretionary for the City Council?

The project site is within ½-mile of a major transit stop. Government Code Section 65915(f)(3)(D)(ii) states that if a 100% affordable project is within 1/2- mile of a major transit stop, the city “shall not impose any maximum controls on density.” Instead, density is controlled by the city’s development standards, and the applicant is not entitled to any reduction of development standards except for an automatic 33-foot height increase, parking reductions, and up to four concessions. The city may grant additional reductions in development standards in its discretion.

- Please explain the legal basis for the number of incentives that have been claimed. See Government Code Section 65915(d)(2)(D): “Four incentives or concessions for [100% affordable projects]. If the project is located within one-half mile of a major transit stop, the applicant shall also receive a height increase of up to three additional stories, or 33 feet.”
- Please explain why the application includes 2' between floors. That is more than what we've typically seen. Also, please explain the distance from top plate to roof deck. This question was referred to the applicant. Please see Exhibit A and B below.
- Please explain the location of the driveway. If the driveway was on the other side the greater height/mass would be pushed toward El Camino and away from the residential areas. Is there really enough room in the common open space to compensate for the

lower amount of private open space? And why allow it so proximate to the front lot line ROW?

This question was referred to the applicant. Please see Exhibit A and B below.

- Is the parking really adequate, how will it be enforced, and what can be done to prevent overflow parking into the neighborhood?

This question was referred to the applicant, but please see Government Code Section 65915(p)(3):

“[I]f a development consists solely of rental units, exclusive of a manager’s unit or units, with an affordable cost to lower income families . . . , then, upon the request of the developer, a city . . . shall not impose vehicular parking standards if the development . . . is located within one-half mile of a major transit stop and there is unobstructed access to the major transit stop from the development.”

Please also see the definition of “unobstructed access” in Section 65915(p)(2)(B), which generally includes the absence of impediments such as freeways, rivers, and mountains. Please see Exhibit A and B below.

Minutes:

- Page 5, item 10: Last line in the second ¶, add in the word “as” in the last line so it reads “. . . the committee’s status as opposed to an ad hoc committee.”
- Page 6: Immediately before item 13 there is a floating period that should be deleted.
- Establish Quorum: Meadows with an 's'

Noted

Agenda Item 2: (Alta Contract Amendment)

- Due to budget constraints, I would like to understand why option C is so expensive that Alta provided for Agenda item 2. Can we negotiate Option C to not include the cost of a study session?

Staff has recommended option C so that a further round of edits could address the many thoughtful comments we received on the Complete Streets Master Plan, from the public and the City Council. Alta has prepared the cost estimate with flexibility in mind, so that items may be selected in various different formats. Staff will only use the elements of the contract that are deemed necessary as the document is updated. As an example, Staff may choose to apply options A, B, or C; or alternatively may choose various items independently from the list of “Optional Tasks” in the attachment. Optional tasks may also be added to options A or B. The additional study session was requested by the City Council which is why this specific element was included in the contract amendment. Ultimately, staff will only use the elements of the contract amendment that are necessary to make the changes and edits directed by the City Council.

Agenda Item 3: (Bellecci Contract Amendment)

- Why weren’t the services covered in this amendment a part of the scope of work in the original contract?

The original contract is an on-call contract to provide consultant support for various engineering services on an as-needed basis. At the time the original contract was approved, it was not yet known

that an additional level of consultant support and associated funding would be required. Additional inspection services, beyond what was initially anticipated, resulted from an unexpected City of Los Altos Engineering Services Department staff resignation.

For the storm drain repair services, Bellecci & Associates started the preliminary design for the repair of the storm drain outfall at 1266 Montclair Way under the agreement for the various engineering tasks for fiscal year 2020-21. At the start, the project was supposed to be an interim fix to alleviate the outfall failure so that it would last for another 10 to 15 years until the City finds additional money to perform a permanent fix. However, the regulatory agencies are no longer issuing permits for interim or emergency repair projects. These comments were recently received from the regulatory agencies and therefore required a much more complicated process for obtaining permits. Additional funds are now being requested to extend Bellecci's services during FY 2021-22 to complete the final design and address the comments from the various regulatory agencies that reviewed the preliminary design and will issue the required permits for construction in 2022. Tasks include, but are not limited to, topographic survey and design services required by regulatory agencies such as Valley Water, Regional Water Quality Control Board, United States Army Corps of Engineers, and California Department of Fish and Wildlife.

- Is there a breakdown as to how the \$120,090 figure was calculated by the vendor?

Yes – Please see the provided storm drain and inspection services cost breakdown below. 100% of the \$63,008 for inspection services will be pulled from the salary savings, and 100% of the cost proposal for the stormwater outfall repair at 1266 Montclair Way will be pulled from the operating budget professional services fund.

BUDGET/COST PROPOSAL

EHXIBIT A

*City of Los Altos
Additional Services for the 1266 Montclair Storm Drain Repair Site
Engineering Design Services*

PROJECT BUDGET ESTIMATE		206	198	156	198	278	138	74	1.1		
TASK #	RATE (\$/HR)	PROJ. MNGR.	PROF. ENGR.	ASSOC. ENGR.	PROF. SURVEYR.	SURVEY CREW	SURVEY TECH	OFFICE ADMIN.	ENVIRONMENTAL MONITORING	HRS./ TASK	TOTAL COST
1.00	Project Management & Coordination	4						2		6	\$972
2.00	Topographic Survey of the Project Site	2				8	4			14	\$3,188
3.00	Calculate the Property Lines and Valley Water's Easement Lines	2			4		6			12	\$2,032
4.00	Update the Plans to show Property Lines & Permit Requirements	4	4	12				2		22	\$3,636
5.00	Construction Biological Monitoring (Allocation)	4	8						\$34,000	12	\$39,808
Design Total		16	12	12	4	8	10	4	\$34,000	66	\$49,636

NOTE: BREAKDOWN OF HOURS SHOWN IS FOR ESTIMATING PURPOSES ONLY. DISTRIBUTION OF HOURS WILL VARY.

* HOURLY RATES INCLUDE REASONABLE REIMBURSIBLE CHARGES.



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PROJECT BUDGET ESTIMATE								
TASK #	RATE (\$/HR)	206	174	138	74			
TASKS DESCRIPTION		CONST. MNGR.	RESIDENT ENGR.	SR. PW INSPECTOR	CONST. ADMIN.	HRS./ TASK	DIRECT COST	TOTAL COST
A	Construction Inspection (Assumes a Construction Time of 52 Working Days)							
1.00	Construction Inspection (Assumes Full Time Inspection for 52 Working days)	20		416	20	456		\$63,008
	Construction Inspection Total	20	0	416	20	456	\$0	\$63,008

NOTE: Construction Manager will Only Charge on an As-Needed Basis.



- Has the City looked to see whether there are alternative vendors who could make competing bids for their services?

The selection of vendors for engineering professional services is based upon qualifications, not solely on price per state law and the City’s Purchasing Policy. A previous solicitation process for on-call services based upon qualification occurred in which the vendor was selected and entered into a contract.

- We have previously approved a contract for Bellecci and Associates. In 2021 we have extended twice the amount of contracts with this organization than in previous years can you explain why?

The initial contract amount for FY 2021-22 is in the same amount as previous years—i.e., \$70,000. However, the original contract is a 3-year on-call contract to provide consultant support for various engineering services on an as-needed basis. At the time the original contract was approved, it was not yet known what the upcoming year’s as-needed services would be and, accordingly, the amount of associated funding that would be required. The additional consultant support services required under Amendment No. 1 address two unexpected needs:

1. Augmented construction inspection support to backfill the loss of the City’s Engineering Inspector in October, and
2. Emergency design work to repair the unexpected failure of the outfall of a storm culvert located under the private property at 1266 Montclair Way.

Staff assigned the preliminary design work and permitting to Bellecci under the original \$70,000 FY-20/21 contract. Now that the various regulatory agencies have reviewed that design, staff is proposing Amendment No. 1 so Bellecci can finalize the design and address the regulators’ comments and permit conditions so the repair can be bid out in 2022.

Agenda Item 4; (Summer Intern Program):

- Will we be able to catch up with the timeline and have interns this summer?

Yes, we can expedite the drafting of the job announcements and advertise for 5-6 weeks the variety of summer internship opportunities.

- Please provide a breakdown of how the \$30,000 will be spent each year.

\$20 an hour x 20 hours a week = \$400 x 10 weeks = \$5,000 per intern salary

Goal is to sponsor about 5-6 interns per summer = \$5,000 x 6 interns = \$30,000 a year.

- Will the interns be paid? Will they earn college credit? Both?

It will be a paid internship. For now, we have not established any college credit. Something we can consider exploring in the future.

- Who will recruit the interns? If there is a competitive process, who selects the interns?
How many interns will work with the City each year?

HR will partner with the hiring manager interested in hosting an intern. We will develop a job announcement based on the assignment. Prospective intern candidates will complete an application and respond to some preliminary screening questions. Selected candidates will participate in a competitive selections process that will consist of a panel interview. Each department will have the opportunity to host an intern. We will aim to have up to 6 summer interns a year.

- Is there a residency requirement for the interns?

No there is not.

- What will the interns do?

The assignment will vary depending on the department. HR will work closely with the hiring manager to establish an assignment that offers interns exposure to local government and an overall positive experience. We will aim to create a mutually beneficial relationship between the intern and the hosting department.

- Will the internship program be subject to the City's regular hiring practices? Will there be a preference for applicants from traditionally disenfranchised or underserved communities?

Yes, the internship program is subject to the City's civil service recruitment selection process conducted in a fair, competitive and impartial manner. We do not identify preferences for disenfranchised or underserved communities.

Agenda Items 6 (Rental fee waiver request):

- Does the city keep a record of all fee reduction/waiver requests? If not, can staff please start to keep one? I think the Council and the public will benefit from seeing who requests a waiver/reduction, for which facility, whether the request was granted, etc.

City staff is currently developing a form to track requests for fee reductions and waivers.

Agenda Items 7 (Dog Park):

- Many of the parking spaces at McKenzie West are used by employers of the medical offices on Altos Oaks. Is there a plan to enforce parking restrictions to move those cars from the McKenzie parking lot?

The City Council currently does not limit the parking hours in any park. Vehicles are allowed to park for up to 72 hours continuously, and after this time, the car is considered abandoned. Los

Altos has several parks that are heavily programmed or have multiple amenities, and parking restrictions have not been enacted. The City Council could direct staff to look at parking restrictions in all City parks, including McKenzie Park, and determine if restrictions should be enacted.

Over the past month staff has completed informal parking surveys of the McKenzie parking lot at different days and times. Parking was available during each survey visit. If the dog park is approved, staff will work to move employee parking into the MSC area and free up additional parking.

- Is there a danger to the large tree at McKenzie if a fenced in dog park is located at that site?

No, the dog park will not create a danger to the trees. Initially staff will have to change maintenance to ensure the trees are properly cared for. Staff consulted an arborist who reported potential impacts to the tree can be mitigated through design. The permanent design of the dog park will take the health of the trees into account.

- Will a fenced in dog park at McKenzie West affect the tennis courts in any way?

No. The dog park will not change the use of the tennis courts. However, the activity in the dog park will lead to more noise and use in the general area. The addition of the pickleball striping will have a larger impact on the courts, and potentially parking availability, than the dog park.

- Where will the climbing structure at McKenzie West be relocated if a fenced-in dog park is located there?

The climbing structure is a rarely used amenity. It is possible the structure will be relocated within McKenzie Park or at another location. It is also possible it will be removed and stored and not replaced.

- Please provide the proposal that provides the details of what the \$100k will cover to create the enclosed dog parks.

There is no proposal that provides details for the cost estimate provided by staff. The dog park sites have not been approved and design work will not begin until the City Council has authorized a permanent location.

The \$100,000, if approved, will be used to purchase and install fencing, create separate entrance areas, purchase and construct/install shade elements, place signage, and to make other improvements that may be site specific, such as bringing in and installing seating outside of the fenced area at the proposed Hillview site.

- The staff report and presentation list the Hillview Proposed Site (Soccer Field East) as having dimensions of 80' x 100' ft. I understand the drawings are not to scale, but the measurements to evaluate the proposal should be close to the final proposed design. What are the expected dimensions of this proposed site?

The staff report and presentation incorrectly shows the proposed dimensions as 80' x 100' ft. (8,000 sq. ft.) The actual proposed maximum dimensions are approximately 35' x 180' ft.(6,300

sq. ft.). The configuration shown in the presentation accurately represents the location and placement, but is not to scale.

1. Based on our objective standards why are there no setbacks on the upper floors?

Response: Concession requested due to impact to density/units.

2. The objective standards state that the courtyard should be open to the front. Is this another waiver / concession request?

Response: Waiver requested. Our massing is focused towards Distel and further from the single family homes to provide more privacy for our single family neighbors and a more protected courtyard.

3. The currently requesting a rear setback of zero. Is it lawful when it is another property's side yard?

Response: Setback on all sides, including rear is a minimum of ± 10 ft.

4. Why is 2 feet needed between each floor? Other developments have 1 foot between each floor.

Response: The project is being envisioned as being modular with the multiple benefits including faster construction and less noise to the surrounding area. Modular units are essentially a 6-sided box with a floor and ceiling framed into it. The two feet is to account for the floor of one module and the roof of another. If the project were site built, the floor to floor would be 1'-3" instead of 2'-0" with a delta of 9".

5. Between the plate and the roof, why is 5 feet proposed?

Response: To account for roof drainage and guardrail. This would be to the highest point and accounts for variation in the roof parapet height.

6. Why is 9 feet rather than 8 foot ceilings proposed?

Response: This housing product type- multifamily residential- has nominal 9ft ceilings. In addition, as we are designing for modular, the typical floor to floor height is 11ft which equates to a 9ft ceiling. Anything less than this dimension would have a financial impact as factories are set up for 9' ceilings.

7. Why are there not at least 1 bicycle spot for each unit?

Response: At this time we are meeting City code, which from our understanding is:

- 1 Class I (Bike Locker) for every 3 units (30 required)
- 1 Class II (Bike Rack) for every 15 units (6 required)

We are looking into providing more as we develop the design further.

8. It doesn't look like there are any extra handicapped parking stalls. Please explain.

Response: Three (3) accessible surface stalls are provided. Per code 2% of assigned stalls are required, which are two (2) stalls. One additional stall is provided as an accessible, EVSE (Electric Vehicle Supply Equipment) charging stall.

9. How many EV charging stations are there?

Response: 10% or Nine (9) EV stalls capable of supporting future EV (EVSE) are provided. Per Calgreen 4.106.4.2 New multifamily dwelling requirement. Los Altos reach code requirements will be met for the type of electrical required. I.e. Level 1, Level 2 per Ordinances No. 2020-470B and 2020-471.

10. Is there only 1 set of elevators in the building for this many units? Why is there not a freight sized elevator?

Response: Freight elevators are atypical in this type of building. One will be deemed a service elevator for move-in. At a minimum, one will be sized for a gurney. Two elevators for a building this size is a good rule of thumb and would be standard. This allows for one to be in service and another operating.

11. What kind of generator will there be and where will it be located? How will it be powered since no gas is being installed.

Response: From our understanding, Per City of Los Altos reach codes, an “All-electric building” is a building that has no natural gas or propane plumbing installed within the building. In order to meet the requirement of no gas plumbing, the generator will have onsite storage as required. We are running generator to maintain fire and life-safety, emergency lighting, and annunciation and will meet City and State requirements as the project proceeds.

Location will be determined as we get further in the project timeline, and will be coordinated with the City of Los Altos Building and Fire dept.

12. Who will be monitoring the applicants to make sure a qualified lessee (s) is the only one living in the unit?

Response: EAH to manage and monitor.

13. It appears on the information below demonstrates that the height of each floor can be 10 feet total and not 12 feet. Can this approach be used for this building to reduce the height so we can respect neighboring residential communities.

Response: The project is being envisioned as being modular which has benefits. Modular units are essentially a 6-sided box with a floor and ceiling framed into it. The two feet is to account for the floor of one module and the roof of another. Our floor-to-floor height is 11ft. This is typical for modular to get to a 9ft plate height with some areas at 8ft where we need to accommodate mechanical. Note that the ground level is 16 ft floor to floor to accommodate for the mechanized parking system, MEP, and floor/ceiling assembly.

330 Distel: Density Bonus, Concessions, Waivers				
Allowed by Density Bonus Law				
Density (DU/acre)	38du/acre	90 Units = 103 du/acre	Density Bonus Law	14.5.080 (LAMC)
Height	45ft + 33ft = 78ft permitted	64ft, 5 stories	Density Bonus Law	
Concession				
Concession	Standard	Proposed	Notes	Code Section
Setback, Front Yard	25ft min. depth, 50% of which shall be landscaped	10ft setback	10ft setback provided. 25ft setback would decrease building area and unit count	14.5.090 (LAMC)
Stepback	Street Side: Minimum 10 feet from ground floor façade above 45 feet in height	Requesting no stepback	Not stepping back on 4th and 5th floor. Need building area to get to 90 units.	14.50.170_1B. Obj. Standards
Open Space	50SF; An average of fifty (50) square feet of private open space shall be provided for the total number of dwelling units within a project.	Approximately 25 sf average / unit requested	10ft Public Utility Easement has to be clear to sky so we are unable to provide cantilevering balconies along the Distel frontage. Juliette balconies are provided on Distel. Providing decks within the units would require a decrease in unit area and impact unit count. Private open space provided on all decks except for those facing Distel.	14.50.150 (LAMC)
Waiver				
Waiver	Standard	Proposed	Notes	
Quantity of building entrances	A minimum one entrance shall be provided per 150 linear feet along El Camino Real and per primary façade bay along all other rights of way	Requesting one point of entry via lobby provided for security/visibility, one garage entry, and one exit for multipurpose room.	4 primary facades = 4 entrances	14.50.170_2B. Obj. Standards
Interior Courtyard	Partially visible from the street and linked to the street by a clear accessible path of travel.	Requesting visibility from back parking lot, no access from exterior to courtyard	Raised courtyard on level 2 not visible from Distel, may be visible from El Camino. Raised courtyard to provide additional parking. Also creates privacy for single family	14.50.170_5A. Obj. Standards
Materials	Base. For multistory elements, the base of the building shall be defined by a distinct material selected from among the following: Stone, brick, concrete, CMU, or stucco ("base material").	Requesting approval of wood as a distinct material.	Intent achieved. Wood serves as distinct material. Wood and storefront glazing proposed at the base.	14.66.280_DA Obj. Standards